



# San Joaquin Valley Air Pollution Control District

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## Action Summary Minutes for the Southern Region Hearing Board Meeting San Joaquin Valley Unified Air Pollution Control District 2700 M Street, Suite 275 Video Teleconferencing (VTC) Room Bakersfield, CA.

Wednesday, October 8, 2003  
10:00 a.m.

**Meeting held via video teleconferencing (VTC) with the Central Region Office (Fresno) participating via VTC.**

- Call Meeting to Order** – The Chair, Hollis B. Carlile, called the meeting to order at 10:08 a.m.
- Roll Call was taken and a quorum was present.**

Kimm Wolber	Medical
Andrew C. Thomson	Attorney
William L. Bland, Jr., <b>Vice Chair(*)</b>	Public
Hollis B. Carlile, <b>Chair</b>	Engineer

(\*) Arrived during the Public Hearings, Item B.)

**Also present in the Southern Region Office (Bakersfield)**  
Allan Phillips, Supervising Air Quality Engineer, Mike Oldershaw, Senior Air Quality Inspector and Jon Adams, Air Quality Compliance Manager.

**Also present in the Central Region Office (Fresno)** – Philip M. Jay, District Counsel, Michael Carrera, Senior Air Quality Inspector and Sissy Smith, Clerk to the Board.

- Approve Minutes to September 10, 2003** – The Chair asked if there were any corrections of the Minutes of September 10, 2003. Hearing no comments the Chair declared the Minutes of September 10, 2003 approved as submitted.

The Chair swore in all persons testifying

The Chair requested the Petitioners sign the Sign In Sheet.

The Chair asked if the Petitions had been properly noticed and on file with the Clerk to the Board. Ms. Smith responded affirmative.

The Chair requested the Hearing Board Packet and any addenda brought forth in today's hearings be entered into the Official Record.

4. **Public Hearings:**

Michael Carrera presented the Staff Reports

A.)  
Docket S-03-11X, Regular Variance Extension, Recot Inc., 22801 HWY 58, Bakersfield, CA. Type of Business: Snack Food Production.

**Petitioners** – Patricia M. O'Toole and Brent Fowler represented Recot Inc.

**Public Comment** – No Public Comment.

**Decision** – **Amended Motion** – Board Member Thomson made the motion to grant the Regular Variance Extension to Docket S-03-11X, Recot Inc., subject to the eight conditions set forth on pages 4 and 5 of the Staff Report. The Board concurred the required six findings set forth on pages 3 and 4 could be made. Seconded by Board Member Wolber. The motion was amended to include October 6, 2003 as the end date of the variance period. The motion carried unanimously with the following **Roll Call Vote:**

**Ayes:** ***Wolber, Thomson and Carlile.***

**Absent:** ***Bland.***

*The Board granted a Regular Variance Extension to Docket S-03-11X, Recot Inc. The variance shall be effective from September 25, 2003 to October 6, 2003, or until the Title V Permit reflecting the increased PM10 emissions limit has been issued, whichever occurs first. The eight conditions will be set forth in the Order.*

B.)  
Docket S-03-28S, Short Variance, Baker Petrolite Corporation, 19815 S. Lake Road, Taft, Ca. Type of Business: Acrolein Manufacturing Facility.

**Petitioner** – Michael Harless represented Baker Petrolite Corporation.

**Public Comment** – No Public Comment.

**Decision** – Board Member Thomson made the motion grant a variance to Docket S-03-28S, Baker Petrolite Corporation. The variance is subject to eight conditions set forth on pages 3 and 4 of the Staff Report. The Board concurred the required six findings set forth on pages 2 and 3 of the Staff Report could be made. Seconded by Board Member Wolber and carried unanimously with the following **Roll Call Vote:**

**Ayes:** **Wolber, Thomson, Bland and Carlile.**

**Absent:** **None.**

*The Board granted a Short Variance to Docket S-03-28S, Baker Petrolite Corporation. The variance shall be effective for a 90-day period from August 11, 2003 to November 8, 2003, or up until a compliance source test is conducted, whichever occurs first. The variance is subject to eight conditions and the eight conditions will be set forth in the Order.*

C.)

Docket S-03-29S, Short Variance, Aera Energy LLC, 25401 HWY 33, Fellows, CA. Type of Business: Crude Oil Production.

**Petitioners** – Edmunds Neilands, Steve Nixon and Scott Grodewald represented Aera Energy LLC.

**Public Comment** – No Public Comment.

**Decision** – Board Member Bland made the motion to grant the variance to Docket S-03-29S, Aera Energy LLC, subject to eight conditions with the addition of a ninth condition added during the hearing pertaining to coordination between PG & E and Aera Energy. The variance shall be effective for two 48-hour periods to occur between November 1, 2003 and November 30, 2003, or until power is restored after the second 48-hour outage, whichever occurs first. The Board concurred the required six findings set forth on pages 2 and 3 of the Staff Report could be made. Seconded by Board Member Thomson and carried unanimously with the following **Roll Call Vote:**

**Ayes:** **Wolber, Thomson, Bland and Carlile.**

**Absent:** **None.**

*The Board granted a Short Variance to Docket S-03-29S, Aera Energy LLC. The variance shall be effective for two 48-hour periods to occur between November 1, 2003 and November 30, 2003, or until power is restored after the second 48-hour outage, whichever occurs first. The variance is subject to nine conditions and the nine conditions will be set forth in the Order.*

**D.) Withdrawn**

Docket S-03-32S, Short Variance, Pacific Energy Holdings LLC, 31120 Nutmeg Road, Goshen, CA.

5. **Administrative Agenda – Receive and File:**

- |     |                 |  |
|-----|-----------------|--|
| A.) | Docket S-03-31E | Aera Energy LLC<br>29235 Highway 33, Maricopa, CA.                                 |
| B.) | Docket S-03-33E | Aera Energy LLC<br>59231 Main Camp Road, McKittrick, CA.                           |
| C.) | Docket S-03-34E | California Department of Corrections – Delano<br>2737 W. Cecil Avenue, Delano, CA. |
| D.) | Docket S-03-35E | Kern Sanitation Authority<br>4101 Kimber Avenue, Bakersfield, CA.                  |
| E.) | Docket S-03-36E | Aera Energy LLC<br>59231 Main Camp Road, McKittrick, CA.                           |

6. **Public Comments** – No Public Comments.

7. **Hearing Board Member Comments** – No Hearing Board Member Comments.

8. **New Business** – The Board and staff discussed correspondence received from Sunrise Power Company, LLC, dated August 21, 2003 (letter on file with Clerk) regarding Docket S-02-46R variance termination date. The Board and staff concurred the Board had no legal authority to act unless the petitioner filed an appeal with the Board.

Staff advised the Board that subsequent to Sunrise's correspondence being forwarded to the Southern Region Hearing Chair the issue has been resolved with Sunrise Power Company LLC and the question of the Boards involvement at this point was moot.

9. **Next Scheduled Meeting** – Wednesday, November 12, 2003 at 10:00 a.m. The meeting will be held via video conferencing (VTC) in the Southern Region Office, 2700 M Street, Suite 275, Bakersfield with the Central Region Office, Fresno, participating via VTC.

10. **Adjourn** – The Chair adjourned the meeting at 10:41 p.m.

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Sissy Smith, Clerk to the Board  
Southern Region Hearing Board  
San Joaquin Valley Unified APCD